

1 NICHOLAS A. TRUTANICH
United States Attorney
2 District of Nevada
Nevada Bar Number 13644
3 DANIEL D. HOLLINGSWORTH
Assistant United States Attorney
4 Nevada Bar No. 1925
501 Las Vegas Boulevard South, Suite 1100
5 Las Vegas, Nevada 89101
(702) 388-6336
6 Daniel.Hollingsworth@usdoj.gov
Attorneys for the United States
7

8 UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
9

10 UNITED STATES OF AMERICA,
11 Plaintiff,
12 v.
13 DUSTIN LEWIS,
14 Defendant.

2:17-CR-244-APG-NJK

**Amended Unopposed Motion for this Court
to approve the Interlocutory Sale of 1035
Aviator Court, Henderson, NV 89002 and
Order**

15 The United States of America moves this Court to approve the offer of \$940,000 for
16 the Interlocutory Sale of the real property held in the name of Dustin M. Lewis (Leiws),
17 Ingrid N. Lewis, and Lewis Family Living Trust located at 1035 Aviator Court, Henderson,
18 Nevada 89002, which is more particularly described as follows:

19 That portion of the North half (N 1/2) of the Northwest quarter (NW 1/4) of section
20 32, township 22 South, range 63 East, M.D.M. and M., described as follows:

21 Parcel Two (2) of that certain parcel map on file in File 109 of Parcel Maps, Page 34,
22 in the Office of the County Recorder, Clark County, Nevada, together with all
improvements and appurtenances thereon, APN: 179-32-101-053

23 (all of which constitutes property).

24 This Court authorized the Unopposed Motion for Interlocutory Sale of this property
25 and ordered its sale (ECF No. 89, 92). The first offer was lower than the three estimates of
26 Zillow.com for \$1,168,465; Redfin.com for \$1,132,158; and Realtor.com for \$1,104,700.
27 The government requested, and this Court's approved the interlocutory order of sale at
28 \$999,999. That buyer withdrew the offer.

1 The home inspection showed serious problems at 1035 Aviator Court, Henderson,
2 Nevada 89002, including the roof, trusses, system deficiencies, etc. After additional buyers
3 looked at the house, Joseph A. Soraci and Kari L. Soraci offered \$940,000 with these
4 problems. Lewis, Ingrid N. Lewis, and Lewis Family Living Trust accepted the offer.

5 After the costs and expenses of the property sale and paying the deed of trust on the
6 realty, the net sale proceeds will (1) pay \$220,000 to OneWest Bank, the victim of Dustin
7 M. Lewis's mortgage fraud, (2) pay the remaining balance of \$347,401.10 to the court
8 registry to be applied towards the restitution of \$704,002 to SCPPA in case number 2:17-
9 CR-391-APG-VCF, (3) pay any additional funds from the final settlement statement, that
10 would go to the seller, to the court registry to be applied towards the restitution of \$704,002
11 to SCPPA in case number 2:17-CR-391-APG-VCF, and (4) pay possibly an additional
12 \$3,500 from escrow will be deposited with the court registry to be applied towards the
13 restitution of \$704,002 to SCPPA in case number 2:17-CR-391-APG-VCF from the security
14 deposit if Lewis keeps good care of the property the month he lives in it after the sale.
15 Exhibit 1, attached hereto and incorporated herein by reference as if fully set forth herein.

16 For the reasons stated above, the United States respectfully requests this Court to
17 approve the sale of the property.

18 DATED March 26, 2020.

19 Respectfully submitted,

20 NICHOLAS A. TRUTANICH
21 United States Attorney

22 /s/ Daniel D. Hollingsworth
23 DANIEL D. HOLLINGSWORTH
24 Assistant United States Attorney

25 IT IS SO ORDERED:

26 
27 ANDREW P. GORDON
28 UNITED STATES DISTRICT JUDGE

3/26/2020
DATED: _____

Exhibit 1 – Settlement Statement Estimate

Exhibit 1 – Settlement Statement Estimate

Stewart Title Company**7251 W. Lake Mead Blvd., Suite 350 Las Vegas, NV 89128****Phone: (702) 873-7020****File No./Escrow No.:** 20000850-201-DRS**Print Date & Time:** 3/17/2020 - 1:06:27PM**Officer/Escrow Officer:** Dindy Roa**Settlement Location:** 7251 W. Lake Mead Blvd., Suite 350, Las Vegas, NV 89128**Property Address:** 1035 Aviator Ct., Henderson, NV 89002, 179-32-101-053**Seller:** Lewis Family Trust**Lender:** Ark-La-Tex Financial Services, LLC**Settlement Date:** 4/1/2020**Disbursement Date:** 4/1/2020

Description	Seller	
	Debit	Credit
Financial		
Sale Price of Property		940,000.00
Prorations/Adjustments		
County Taxes 04/01/20 to 07/01/20		1,579.48
Trash 04/01/20 to 05/01/20		15.95
Title Charges & Escrow/Settlement Charges		
ALTA 2006 Standard Owner's Policy (6/17/2006) to Stewart Title Company	3,200.00	
Title Escrow Fee 25% DISCOUNT to Stewart Title Company	855.00	
Commission		
Real Estate Commission to Windermere Prestige Properties	28,200.00	
Real Estate Commission to ERA Brokers Consolidated	28,200.00	
Government Recording and Transfer Charges		
County Transfer Tax to Stewart Title Company	4,794.00	
Payoffs		
Lender: Mr. Cooper good thru 4/9	308,872.48	
Principal Balance (\$308,872.48)		

Description	Seller	
	Debit	Credit
Lender: One West Bank Principal Balance (\$220,000.00)	220,000.00	
Miscellaneous		
Trash Current Balance Due to Republic Services of Nevada	72.85	
Rent Back WITHHOLD	3,500.00	
Seller Deposit for Rent & Security Deposit		7,000.00
SCPPA - Applied towards restitution	347,401.10	
Security Deposit WITHHOLD	3,500.00	
	Debit	Credit
Subtotals	948,595.43	948,595.43
Proceeds Due Seller	0.00	
Totals	948,595.43	948,595.43

Acknowledgement

We/I have carefully reviewed the ALTA Settlement Statement and find it to be a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction and further certify that I have received a copy of the ALTA Settlement Statement. We/ I authorize Stewart Title Company to cause the funds to be disbursed in accordance with this statement.

Lewis Family Trust

Dustin M. Lewis, Trustee

Lewis Family Trust

Ingrid N. Lewis, Trustee

Dindy Roa